

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

William C. McKinnedy, III,

Plaintiff,

vs.

Mrs. Cecil Reynolds, Warden at  
Kershaw Correctional Institution, et al.,

Defendants.

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) Civil Action No. 6:08-3169-HMH-WMC  
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simply asking for a legal opinion. This court has reviewed the discovery responses provided by the defendants, which were attached to the plaintiff's motion. The court hereby finds that the defendants adequately responded to the plaintiff's discovery. Accordingly, the plaintiff's motion to compel is denied.

On June 26, 2009, the plaintiff filed his fourth motion to amend his complaint, stating that he needs to establish jurisdiction and that the defendants are sued in their individual capacities. The defendants concede that the court has jurisdiction, and they acknowledge that the plaintiff has sued them in their individual complaints. The plaintiff in his proposed amended complaint mainly restates the allegations set forth in his prior complaints. The plaintiff does include some additional allegations concerning his criminal conviction and sentence, but these are from 2000, and the statute of limitations would clearly have run. Accordingly, such an amendment would be futile. Further, the plaintiff has named over 30 defendants in his prior complaints, and the defendants have expended a tremendous amount of time and resources in addressing these claims. The defendants have filed a motion for summary judgment, and the defendants state that they have submitted an amended motion for summary judgment to address the claims against the defendants who have been served since the original motion was filed. The defendants argue that they should not be required to expend additional time and resources at this late stage of the litigation to again revise their motion to address new allegations raised by the plaintiff. This court agrees. The issues stated by the plaintiff of jurisdiction and that defendants are sued in their individual capacities are resolved, and there is no basis for the plaintiff to again amend his complaint. Accordingly, the motion to amend is denied.

Wherefore, based up the foregoing, the plaintiff's motions (doc. nos. 125 and 150) are denied.

IT IS SO ORDERED.

July 9, 2009  
Greenville, South Carolina

s/William M. Catoe  
United States Magistrate Judge